1 2 3 4 5	DAVID R. FISCHER, ESQ. Nevada Bar No. 10348 LAW OFFICE OF DAVID R. FISCHER 400 South 4 th Street, Suite 500 Las Vegas, Nevada 89101 Telephone: (702) 547-3944 Facsimile: (702) 974-1458 Email: federal@fischerlawlv.com Attorney for Defendant MURRAY NEWTON		
6 7	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA		
8	ANALES SELECTED OF ANALESAS		
9	UNITED STATES OF AMERICA, Plaintiff,	Case No.: 2:17-cr-00124-JAD-GWF	
10	vs.		
11	MURRAY NEWTON,	STIPULATION TO CONTINUE	
12	Defendant.	HEARING FOR SENTENCING	
13	Defendant.	(Second Request)	
14	IT IS HEREBY STIPULATED AND A	AGREED by and between Nicholas A. Trutanich	
15		TORDED, by and between Menoras M. Hatamen,	
	United States Attorney, Robert A. Knief, Esq.	, Assistant United States Attorney, and David R.	
16	_		
	Fischer, Esq., counsel for defendant MURRA	, Assistant United States Attorney, and David R.	
16	Fischer, Esq., counsel for defendant MURRA the above-captioned matter set for Thursday,	, Assistant United States Attorney, and David R. Y NEWTON, that the Hearing for Sentencing in	
16 17	Fischer, Esq., counsel for defendant MURRA the above-captioned matter set for Thursday,	, Assistant United States Attorney, and David R. Y NEWTON, that the Hearing for Sentencing in August 8, 2019 at 09:30 A.M., be vacated and	
16 17 18	Fischer, Esq., counsel for defendant MURRA the above-captioned matter set for Thursday, continued to a date and time convenient to the	, Assistant United States Attorney, and David R. Y NEWTON, that the Hearing for Sentencing in August 8, 2019 at 09:30 A.M., be vacated and ne Court but no earlier than one hundred twenty	
16 17 18 19	Fischer, Esq., counsel for defendant MURRA the above-captioned matter set for Thursday, continued to a date and time convenient to the (120) days. This Stipulation for the continuance is a second continuance is a second continuance in the continuance in the continuance is a second continuance in the continuance in the continuance is a second continuance in the continuance in the continuance is a second continuance in the continua	, Assistant United States Attorney, and David R. Y NEWTON, that the Hearing for Sentencing in August 8, 2019 at 09:30 A.M., be vacated and he Court but no earlier than one hundred twenty entered into for the following reasons:	
16 17 18 19 20	Fischer, Esq., counsel for defendant MURRA the above-captioned matter set for Thursday, continued to a date and time convenient to the (120) days.	, Assistant United States Attorney, and David R. Y NEWTON, that the Hearing for Sentencing in August 8, 2019 at 09:30 A.M., be vacated and he Court but no earlier than one hundred twenty entered into for the following reasons:	
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- 2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that "the court may, for good cause, change any limits prescribed in this rule";
- 3. Counsel requests this additional time in order to allow adequate time to research Sentencing issues and to prepare for the sentencing hearing;
- 4. Counsel began trial for a complex RICO/VICAR case on July 29, 2019 [Case no. 2:16-cr-00265-GMN-CWH], which Judge Navarro estimates to last anywhere between twelve (12) and sixteen (16) weeks;
- 5. Counsel communicated with the Defendant, MURRAY NEWTON, who is currently out of custody, and NEWTON agrees with the continuance;
- 6. This is the second request for a continuance filed herein.

WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but no earlier than one hundred twenty (120) days.

DATED this 5th day of August 2019

/s/ Robert A. Knief

ROBERT A. KNIEF, ESQ. Assistant United States Attorney Counsel for the United States

/s/ David R. Fischer

DAVID R. FISCHER, ESQ. Counsel for Defendant NEWTON

CERTIFICATE OF ELECTRONIC SERVICE

2	I HEREBY CERTIFY that I am an employee or agent of the LAW OFFICE OF DAVID
3	R. FISCHER and am a person of such age and discretion as to be competent to serve papers and
4	that, on the 5th day of August 2019, I served a copy of the above and foregoing
5	STIPULATION TO CONTINUE SENTENCING HEARING in the following manner(s):
6	☑ ELECTRONIC SERVICE: Pursuant to Local Rule IC 4-1 of the United States District Court for the District
7	of Nevada, the above-referenced document was electronically filed and served on all appearing parties
$_{8}$	through the Notice of Electronic Filing automatically generated by the Court.
9	☐ UNITED STATES MAIL: By depositing a true and correct copy of the above referenced document into the
0	United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing
	address(es):
1	☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above referenced document for
2	overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-
3	known mailing address.
4	☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the
5	attached service list at the facsimile numbers set forth thereon.
6	☐ EMAIL: By sending the above-referenced document via email to those persons at the email addresses set
7	forth below:
8	
9	<u>/s/ David R Fischer</u> DAVID R. FISCHER, ESQ.
0	Attorney for Defendant NEWTON
1	

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA
UNITED STATES OF AMERICA, Plaintiff, Case No.: 2:17-cr-00124-JAD-GWF
vs. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
MURRAY NEWTON,
Defendant.
FINDINGS OF FACT
Based on the pending Stipulation of counsel, and good cause appearing therefore, the
Court finds that:
This Stipulation for the continuance is entered into for the following reasons:
7. This is a request by counsel for the Defendant, MURRAY NEWTON;
8. The additional time requested by this Stipulation is reasonable pursuant to Federal
Rule of Criminal Procedure 32(b)(2), which states that "the court may, for good
cause, change any limits prescribed in this rule";
9. Counsel requests this additional time in order to allow adequate time to research
Sentencing issues and to prepare for the sentencing hearing;
10. Counsel began trial for a complex RICO/VICAR case on July 29, 2019 [Case no.
2:16-cr-00265-GMN-CWH], which Judge Navarro estimates to last anywhere
between twelve (12) and sixteen (16) weeks; 11. Counsel communicated with the Defendant, MURRAY NEWTON, who is currently
out of custody, and NEWTON agrees with the continuance;

12. This is the second request for a continuance filed herein.

WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but no earlier than one hundred twenty (120) days.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

ORDER

IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for Thursday, August 8, 2019 at 09:30 A.M., be continued to December 16, 2019, at the hour of 10:00 a.m.

IT IS SO ORDERED:

HONORABLE JENNIFER A. DORSEY

UNITED STATES DISTRICT JUDGE

Case No.: 2:17-cr-00124-JAD-GWF

DATED: 8/6/2019